JC04 Rec'd PCT/PTO U4 OCT 2005

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2037. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMNT OF COMMERCE

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TRANSMITTAL LETTER T	ATTORNEY'S DOCKET NUMBER								
DESIGNATED/ELECTE	MBZ-0521 U.S. APPLICATION NO_(if known, see 97 CER 1.5)								
<b>CONCERNING A SUBMISSI</b>	10/551982								
INTERNATIONAL APPLICATION NO. PCT/EP2004/002255	INTERNATIONAL FILING DATE 5 March 2004	PRIORITY DATE CLAIMED 7 April 2003							
TITLE OF INVENTION Composition									
APPLICANT(S) FOR DO/EO/US Davide ZAMPINI, Martin WEIBEL, Andre WALLISER and Max OPPLIGER									
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  1. X This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.									
2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.									
3. X This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.									
4. The US has been elected (Article 31).									
5. X A copy of the International Application as filed (35 U.S.C. 371 (c)(2))									
a. X is attached hereto (required only if not communicated by the International Bureau).									
b. has been communicated by the International Bureau.									
c. is not required, as the application was filed in the United States Receiving Office (RO/US).									
6. An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).									
a. is attached hereto.									
b. has been previously submitted under 35 U.S.C. 154(d)(4).									
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))									
a. are attached hereto (required only if not communicated by the International Bureau).									
b. have been communicated by the International Bureau.									
c. have not been made; however, the time limit for making such amendments has NOT expired.									
d. have not been ma									
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).									
9. X An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).									
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).									
Items 11 to 20 below concern documer	nt(s) or information included:								
11. X An Information Disclosure Statement under 37 CFR 1.97 and 1.98.									
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.									
13. X A preliminary amendment.									
14. X An Application Data Sheet under 37 CFR 1.76.									
15. A substitute specification.									
16. A power of attorney and/or change of address letter.									
17. A computer-readable form of the	7. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.								
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).									
19. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).									
20. X Other items or information: Written Opinion of ISA; Copies cited references; search report; Publication WO2004/089852 A1									

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## JC05 Rec'd PCT/PTO 040CT 2005

PTO-1390 (Rev. 02-2005)
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U.S. APPLICATION NO (1990), 500 27 CFR 1.5) INTERNATIONAL APPLICATION NO. PCT/EP2004/002255			ATTORNEY'S DOCKET NUMBER MBZ-0521				
The follow	ing fees have been su	bmitted	<del></del>			CALCULATIONS	PTO USE ONLY
	•				\$300.00	\$ 300.00	
21. X Basic national fee \$300.00 \$300.00  22. X Examination fee  If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00  All other situations \$200.00 \$200.00  23. X Search fee  Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO has an International Searching Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00 \$400.00							
	TOTAL	OF 21, 22 and 23	=			\$ 900.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  Total Sheets Extra sheets Number of each additional 50 or fraction thereof (round up to a whole number)							
13 -100 =	0 /50 =	(00	0		X \$250.00	\$ 0.00	
						<b>V</b> 0.00	
Surcharge of \$130. date (37 CFR 1.492		ath or declaration	later than 30 months from th	e earli	est claimed priority	\$ 0.00	_
CLAIMS	NUM	IBER FILED	NUMBER EXTRA		RATE	\$	
Total claim	ns 2	20 - 20 =	0	Х	\$50.00	\$ 0.00	
Independent claims	s	1-3=	. 0	Х	\$200.00	\$ 0.00	
MULTIPLE DEPEN	DENT CLAIM(S) (if a	pplicable)		+	\$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =					\$ 0.00		
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$ 0.00		
SUBTOTAL =					\$ 0.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					\$ 0.00		
TOTAL NATIONAL FEE =					\$900.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$ 0.00		
			TOT	AL FE	ES ENCLOSED =	\$900.00	
					Amount to be refunded:	\$	
						Amount to be charged:	\$
a. X A check in the amount of \$ 900.00 to cover the above fees is enclosed.  b. Please charge my Deposit Account No in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3275 A duplicate copy of this sheet is enclosed.  d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  USTOMER NO. 23575  Joseph G. Curatolo, Esq.  NAME  28,837							
28.837 REGISTRATION NUMBER							

### JC04 Rec'd PCT/PTO U4 UCT 2005

# CURATOLO SIDOTI 10/551 982

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October 4, 2005

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**Certificate of Express Mailing** 

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EV698630605US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(type or print name of person signing paper)

Gionature of person mailing paper)

10-04-2005

(date)

#### TRANSMITTAL SHEET FOR PATENT APPLICATION

Dear Sirs:

Transmitted herewith is a written application for a patent filed pursuant to 35 USC §371, which is a national stage application of International Application No. PCT/EP2004/002255, filed 5 Mar 2004, which claims the benefit of GB 0307948.0, filed 7 Apr 2003, from which applications priority is claimed.

Express Mail No. EV698630605US

Docket No. MBZ-0521

Title:

Composition

Inventors:

Davide ZAMPINI, Martin WEIBEL, Andre WALLISER, and Max OPPLIGER

Assignee:

Construction Research & Technology GmbH

Dr. Albert-Frank-Strasse 32 D-83308 Trostberg, Germany

Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account (2 pages - in duplicate)

Transmittal Letter United States Designated/Elected Office Concerning Filing Under 35USC371 (PTO-1390) (2 pages)

Combined Declaration and Power of Attorney, Unexecuted (3 pages)

Specification (8 Pages Description, 4 Page Claims, 1 Page Abstract)

October 4, 2005

10/551982

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Preliminary Amendment (10 pages)

**Application Data Sheet** 

Copy - International Search Report

Copy - Written Opinion of the International Searching Authority

Copy - International Publication No. WO 2004/089852 A1

Information Disclosure Statement

Form PTO/SB08A&B

Copies of Cited References (2)

Check in the amount of \$900.00

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**Authorization to Charge Deposit Account** 

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. MBZ-0521 that might be required to effect the filing of this (these) document (s) to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,

Joseph G. Curatolo, Esq. (Reg. No. 28,837) Salvatore A. Sidoti, Esq. (Reg. No. 43,921)

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Date